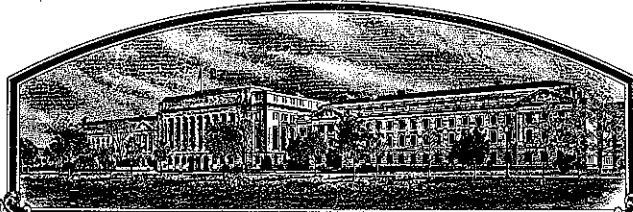


No.

9600195



THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Nobartis Seeds, Inc.

Whereas, THERE HAS BEEN PRESENTED TO THE

Secretary of Agriculture

AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED DISTINCT VARIETY OF SEXUALLY REPRODUCED, OR TUBER PROPAGATED, PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TITLE THERETO IS, FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND WHEREAS, UPON DUE EXAMINATION MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT VARIETY PROTECTION UNDER THE LAW.

NOW, THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO THE SAID APPLICANT(S) AND THE SUCCESSORS, HEIRS OR ASSIGNS OF THE SAID APPLICANT(S) FOR THE TERM OF TWENTY YEARS FROM THE DATE OF THIS GRANT, SUBJECT TO THE PAYMENT OF THE REQUIRED FEES AND PERIODIC REPLENISHMENT OF VIABLE BASIC SEED OF THE VARIETY IN A PUBLIC REPOSITORY AS PROVIDED BY LAW, THE RIGHT TO EXCLUDE OTHERS FROM SELLING THE VARIETY, OR OFFERING IT FOR SALE, OR REPRODUCING IT, OR IMPORTING IT, OR EXPORTING IT, OR CONDITIONING IT FOR PROPAGATION, OR STOCKING IT FOR ANY OF THE ABOVE PURPOSE, OR USING IT IN PRODUCING A HYBRID OR DIFFERENT VARIETY THEREFROM, TO THE EXTENT PROVIDED BY THE PLANT VARIETY PROTECTION ACT. (84 STAT. 1542, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

SOYBEAN

'S23-06'

In Testimony Whereof, I have hereunto set my hand and caused the seal of the Plant Variety Protection Office to be affixed at the City of Washington, D.C. this thirty-first day of January, in the year of our Lord two thousand.

Attest:

Ann Marie

Commissioner
Plant Variety Protection Office
Agricultural Marketing Service

Don H. Hickman

Secretary of Agriculture

U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
SCIENCE DIVISION - PLANT VARIETY PROTECTION OFFICE

The following statements are made in accordance with the Privacy Act of 1974 (5 U.S.C. 552a).

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). Information is held confidential until certificate is issued (7 U.S.C. 2426).

APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE

(Instructions and information collection burden statement on reverse)

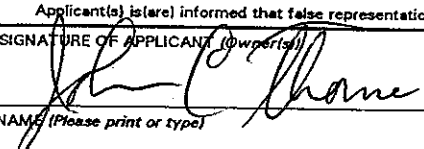
1. NAME OF APPLICANT(S) (as it is to appear on the Certificate)		2. TEMPORARY DESIGNATION OR EXPERIMENTAL NUMBER	3. VARIETY NAME
Northrup King Co.			S 23-06
4. ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP Code, and Country)		5. TELEPHONE (include area code)	FOR OFFICIAL USE ONLY PVPO NUMBER 9600195 DATE Jul 19, 1996 FILING AND EXAMINATION FEE \$2450.00 DATE Jul 19, 1996 CERTIFICATION FEE \$300.00 DATE 10/18/99
P. O. Box 949 Washington, Iowa 52353-0949 Attention: Dr. John C. Thorne		319-653-6645	
6. FAX (include area code)			
319-653-4609			
7. GENUS AND SPECIES NAME	8. FAMILY NAME (Botanical)		
Glycine max	Leguminosae		
9. CROP KIND NAME (Common name)			
Soybean			
10. IF THE APPLICANT NAMED IS NOT A "PERSON", GIVE FORM OF ORGANIZATION (corporation, partnership, association, etc.) (Common name)			
Northrup King Co.			
11. IF INCORPORATED, GIVE STATE OF INCORPORATION		12. DATE OF INCORPORATION	
Delaware		1976	
13. NAME AND ADDRESS OF APPLICANT REPRESENTATIVE(S), IF ANY, TO SERVE IN THIS APPLICATION AND RECEIVE ALL PAPERS			14. TELEPHONE (include area code)
Dr. John C. Thorne Northrup King Co. P. O. Box 949 Washington, Iowa 52353-0949			
			15. FAX (include area code)
16. CHECK APPROPRIATE BOX FOR EACH ATTACHMENT SUBMITTED (Follow instructions on reverse)			
a. <input checked="" type="checkbox"/> Exhibit A. Origin and Breeding History of the Variety b. <input checked="" type="checkbox"/> Exhibit B. Statement of Distinctness c. <input checked="" type="checkbox"/> Exhibit C. Objective Description of the Variety d. <input type="checkbox"/> Exhibit D. Additional Description of the Variety e. <input checked="" type="checkbox"/> Exhibit E. Statement of the Basis of the Applicant's Ownership f. <input checked="" type="checkbox"/> Voucher Sample (2,500 viable untreated seeds or, for tuber propagated varieties verification that tissue culture will be deposited and maintained in a public repository) g. <input checked="" type="checkbox"/> Filing and Examination Fee (\$2,450), made payable to "Treasurer of the United States" (Mail to PVPO)			
17. DOES THE APPLICANT SPECIFY THAT SEED OF THIS VARIETY BE SOLD BY VARIETY NAME ONLY, AS A CLASS OF CERTIFIED SEED? (See Section 83(a) of the Plant Variety Protection Act?)			
<input type="checkbox"/> YES (If "yes," answer items 18 and 19 below) <input checked="" type="checkbox"/> NO (If "no," go to item 20)			
18. DOES THE APPLICANT SPECIFY THAT SEED OF THIS VARIETY BE LIMITED AS TO NUMBER OF GENERATIONS?		19. IF "YES" TO ITEM 18, WHICH CLASSES OF PRODUCTION BEYOND BREEDER SEED?	
<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		<input type="checkbox"/> FOUNDATION <input type="checkbox"/> REGISTERED <input type="checkbox"/> CERTIFIED	
20. HAS THE VARIETY OR A HYBRID PRODUCED FROM THE VARIETY BEEN RELEASED, USED, OFFERED FOR SALE, OR MARKETED IN THE U.S. OR OTHER COUNTRIES?			
<input type="checkbox"/> YES (If "yes," give names of countries and dates) <input checked="" type="checkbox"/> NO			
21. The applicant(s) declare that a viable sample of basic seed of the variety will be furnished with application and will be replenished upon request in accordance with such regulations as may be applicable, or for a tuber propagated variety a tissue culture will be deposited in a public repository and maintained for the duration of the certificate.			
The undersigned applicant(s) is(are) the owner(s) of this sexually reproduced or tuber propagated plant variety, and believe(s) that the variety is new, distinct, uniform, and stable as required in Section 41, and is entitled to protection under the provisions of Section 42 of the Plant Variety Protection Act.			
Applicant(s) is(are) informed that false representation herein can jeopardize protection and result in penalties.			
SIGNATURE OF APPLICANT (Owner(s))		SIGNATURE OF APPLICANT (Owner(s))	
			
NAME (Please print or type)		NAME (Please print or type)	
Dr. John C. Thorne			
CAPACITY OR TITLE	DATE	CAPACITY OR TITLE	DATE
Soybean Research Director			

EXHIBIT A

Origin and Breeding History of the Variety

The soybean variety 'S 23-06' is derived from a single F6 plant from the cross 'S 21-98' x 'S 19-90'. The cross was made in the summer of 1987 at the Northrup King Research Center at Washington, Iowa. The F1 and F2 generations were grown at the Northrup King Research Center at Waimea, Kauai, Hawaii, in the winter of 1987-88; the F3 at Washington in the summer of 1988; the F4 and F5 at Waimea in the winter of 1988-89, and the F6 at Washington in the summer of 1989. The F1 was bulk harvested. The F2 through F5 were advanced by harvesting 2-4 seeds per plant and planting 600 seed from the resulting bulk. In the fall of 1989, 75 plants were harvested and threshed individually. The progeny from each of these plants were planted in a two replicate yield trial at Washington in 1990. One of these, numbered M322606, was selected based on yield and agronomic characteristics for further testing. This line was subsequently tested under the temporary designation X9523 and named S 23-06. It has been tested at several northern and central cornbelt locations in the U.S. and in southern Ontario from 1991 through 1994 and found to yield well compared to other mid Group 2 varieties. Descriptive characteristics including purple flowers, tawny pubescence, and tan pods, have been identified and confirmed. The original line was found to be segregating for hilum color (yellow and gray). S 23-06 has been tested in the field for iron deficiency chlorosis and found to be susceptible. Field tests have also shown it to have moderate resistance to brown stem rot. It has been tested for reaction to Races 1, 3, 4, 7, and 17 of Phytophthora sojae using hypocotyl inoculation of greenhouse grown plants and found to carry the Rps1-c gene for resistance.

In the winter of 1992-93, 500 seeds of M322606 were planted at Waimea and approximately 100 plants were harvested and threshed individually. Progeny with yellow hilum color were kept separate from those with gray hilum color. The progeny of these plants were grown at Washington in the summer of 1992 to monitor variability and to produce Pedigree Seed. A few plants which had white flowers or gray pubescence were removed. These were assumed to have resulted from mechanical mixture or outcrossing. All yellow hilum rows were uniform and were bulked to produce Pedigree Seed. This seed was planted in the Washington area in 1994 to produce Breeder Seed. The increase block was rogued carefully during flowering and at maturity.

Foundation Seed of S 23-06 was produced in 1995 from the 1994 Breeder Seed. The Iowa Crop Improvement Association inspected the fields and found them to meet the standards for Foundation Seed. The National Soybean Variety Review Board approved S 23-06 for Certification in December, 1995.

S 23-06 is stable and uniform. Over four years of testing and three cycles of seed increase, we have observed no variants other than the hilum color variation mentioned above. The purified variety has yellow hilum color, but may contain up to 2% other hilum color. Also, as with other varieties with tawny pubescence of this hilum color genotype, under some environments the hilum color may appear to be a very light buff color. Any off-type plants removed from increase fields were assumed to have arisen from admixture or outcrossing. Varietal purity will be maintained using progeny rows as described previously.

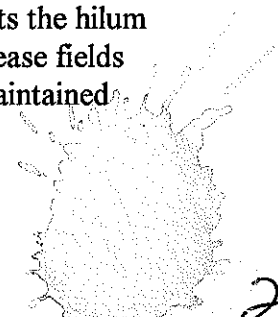


EXHIBIT B**Novelty Statement for the Variety**

S 23-06 is most similar to S 20-91. It can be differentiated from S 20-91 on the basis of hilum color. Seeds of S 23-06 have yellow hila; seeds of S 20-91 have gray hila.

U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
LIVESTOCK, MEAT, GRAIN & SEED DIVISION
PLANT VARIETY PROTECTION OFFICE
BELTSVILLE, MARYLAND 20705

EXHIBIT C
(Soybean)

OBJECTIVE DESCRIPTION OF VARIETY
SOYBEAN (*Glycine max* L.)

NAME OF APPLICANT(S) Northrup King Co.	TEMPORARY DESIGNATION X9523(M322606)	VARIETY NAME S 23-06
ADDRESS (Street and No., or R.F.D. No., City, State, and Zip Code) P. O. Box 949 Washington, Iowa 52353-0949		FOR OFFICIAL USE ONLY PVPO NUMBER 9600195

Choose the appropriate response which characterizes the variety in the features described below. When the number of significant digits in your answer is fewer than the number of boxes provided, place a zero in the first box when number is 9 or less (e.g.,).

1. SEED SHAPE:



1 = Spherical (L/W, L/T, and T/W ratios = ≤ 1.2)
3 = Elongate (L/T ratio > 1.2 ; T/W = ≤ 1.2)

2 = Spherical Flattened (L/W ratio > 1.2 ; L/T ratio = ≤ 1.2)
4 = Elongate Flattened (L/T ratio > 1.2 ; T/W > 1.2)

2. SEED COAT COLOR: (Mature Seed)

1 = Yellow

2 = Green

3 = Brown

4 = Black

5 = Other (Specify) _____

3. SEED COAT LUSTER: (Mature Hand Shelled Seed)

1 = Dull ('Corsoy 79'; 'Braxton')

2 = Shiny ('Nebsoy'; 'Gasoy 17')

4. SEED SIZE: (Mature Seed)

Grams per 100 seeds

5. HILUM COLOR: (Mature Seed)

1 = Buff

2 = Yellow

3 = Brown

4 = Gray

5 = Imperfect Black

6 = Black

7 = Other (Specify) _____

May have a slight tan color in some environments

6. COTYLEDON COLOR: (Mature Seed)

1 = Yellow

2 = Green

7. SEED PROTEIN PEROXIDASE ACTIVITY:

1 = Low

2 = High

8. SEED PROTEIN ELECTROPHORETIC BAND:

1 = Type A (SP1^a)2 = Type B (SP1^b)

9. HYPOCOTYL COLOR:

1 = Green only ('Evans'; 'Davis')

2 = Green with bronze band below cotyledons ('Woodworth'; 'Tracy')

3 = Light Purple below cotyledons ('Beeson'; 'Pickett 71')

4 = Dark Purple extending to unifoliate leaves ('Hodgson'; 'Coker Hampton 266A')

10. LEAFLET SHAPE:

1 = Lanceolate

2 = Oval

3 = Ovate

4 = Other (Specify) _____

11. LEAFLET SIZE:

☐ 21 = Small ('Amsoy 71'; 'A5312')
3 = Large ('Crawford'; 'Tracy')

2 = Medium ('Corsoy 79'; 'Gasoy 17')

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12. LEAF COLOR:

☐ 21 = Light Green ('Weber'; 'York')
3 = Dark Green ('Gnome'; 'Tracy')

2 = Medium Green ('Corsoy 79'; 'Braxton')

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13. FLOWER COLOR:

☐ 2

1 = White

2 = Purple

3 = White with purple throat

14. POD COLOR:

☐ 1

1 = Tan

2 = Brown

3 = Black

15. PLANT PUBESCENCE COLOR:

☐ 2

1 = Gray

2 = Brown (Tawny)

16. PLANT TYPES:

☐ 21 = Slender ('Essex'; 'Amsoy 71')
3 = Bushy ('Gnome'; 'Govan')

2 = Intermediate ('Amcor'; 'Braxton')

17. PLANT HABIT:

☐ 3

1 = Determinate ('Gnome'; 'Braxton')

2 = Semi-Determinate ('Will')

3 = Indeterminate ('Nebsoy'; 'Improved Pelican')

18. MATURITY GROUP:

☐ 5

1 = 000

2 = 00

3 = 0

4 = I

5 = II

6 = III

7 = IV

8 = V

9 = VI

10 = VII

11 = VIII

12 = IX

13 = X

19. DISEASE REACTION: (Enter 0 = Not Tested; 1 = Susceptible; 2 = Resistant)

BACTERIAL DISEASES:

☐ 0Bacterial Pustule (*Xanthomonas phaseoli* var. *sojensis*)☐ 0Bacterial Blight (*Pseudomonas glycinea*)☐ 0Wildfire (*Pseudomonas tabaci*)

FUNGAL DISEASES:

☐ 1Brown Spot (*Septoria glycines*)Frogeye Leaf Spot (*Cercospora sojina*)☐ 0

Race 1

☐ 0

Race 2

☐ 0

Race 3

☐ 0

Race 4

☐ 0

Race 5

☐

Other (Specify)

☐ 0Target Spot (*Corynespora cassiicola*)☐ 0Downy Mildew (*Peronospora trifoliorum* var. *manshurica*)☐ 0Powdery Mildew (*Microsphaera diffusa*)☐ 2Brown Stem Rot (*Cephalosporium gregatum*)

Moderately Resistant

☐ 0Stem Canker (*Diaporthe phaseolorum* var. *caulivora*)

19. DISEASE REACTION: (Enter 0 = Not Tested; 1 = Susceptible; 2 = Resistant) (Continued)

FUNGAL DISEASES: (Continued)

<input checked="" type="checkbox"/> 1	Pod and Stem Blight (<i>Diaporthe phaseolorum</i> var. <i>sojae</i>)												
<input checked="" type="checkbox"/> 1	Purple Seed Stain (<i>Cercospora kikuchii</i>)												
<input type="checkbox"/> 0	Rhizoctonia Root Rot (<i>Rhizoctonia solani</i>)												
Phytophthora Rot (<i>Phytophthora megasperma</i> var. <i>sojae</i>)													
<input checked="" type="checkbox"/> 2	Race 1	<input type="checkbox"/> 0	Race 2	<input checked="" type="checkbox"/> 2	Race 3	<input checked="" type="checkbox"/> 1	Race 4	<input type="checkbox"/> 0	Race 5	<input type="checkbox"/> 0	Race 6	<input checked="" type="checkbox"/> 2	Race 7
<input type="checkbox"/> 0	Race 8	<input type="checkbox"/> 0	Race 9	<input type="checkbox"/>	Other (Specify) _____								

VIRAL DISEASES:

<input type="checkbox"/> 0	Bud Blight (Tobacco Ringspot Virus)
<input type="checkbox"/> 0	Yellow Mosaic (Bean Yellow Mosaic Virus)
<input type="checkbox"/> 0	Cowpea Mosaic (Cowpea Chlorotic Virus)
<input type="checkbox"/> 0	Pod Mottle (Bean Pod Mottle Virus)
<input type="checkbox"/> 0	Seed Mottle (Soybean Mosaic Virus)

NEMATODE DISEASES:

Soybean Cyst Nematode (<i>Heterodera glycines</i>)									
<input checked="" type="checkbox"/> 1	Race 1	<input checked="" type="checkbox"/> 1	Race 2	<input checked="" type="checkbox"/> 1	Race 3	<input checked="" type="checkbox"/> 1	Race 4	<input checked="" type="checkbox"/> 1	Other (Specify) _____
<input type="checkbox"/> 0	Lance Nematode (<i>Hoplolaimus Colonus</i>)								
<input type="checkbox"/> 0	Southern Root Knot Nematode (<i>Meloidogyne incognita</i>)								
<input type="checkbox"/> 0	Northern Root Knot Nematode (<i>Meloidogyne Hapla</i>)								
<input type="checkbox"/> 0	Peanut Root Knot Nematode (<i>Meloidogyne arenaria</i>)								
<input type="checkbox"/> 0	Reniform Nematode (<i>Rotylenchulus reniformis</i>)								
<input type="checkbox"/>	OTHER DISEASE NOT ON FORM (Specify): _____								

20. PHYSIOLOGICAL RESPONSES: (Enter 0 = Not Tested; 1 = Susceptible; 2 = Resistant)

<input checked="" type="checkbox"/> 1	Iron Chlorosis on Calcareous Soil
<input type="checkbox"/>	Other (Specify) _____

21. INSECT REACTION: (Enter 0 = Not Tested; 1 = Susceptible; 2 = Resistant)

<input type="checkbox"/> 0	Mexican Bean Beetle (<i>Epilachna varivestis</i>)
<input type="checkbox"/> 0	Potato Leaf Hopper (<i>Empoasca fabae</i>)
<input type="checkbox"/>	Other (Specify) _____

22. INDICATE WHICH VARIETY MOST CLOSELY RESEMBLES THAT SUBMITTED.

CHARACTER	NAME OF VARIETY	CHARACTER	NAME OF VARIETY
Plant Shape	S 20-91	Seed Coat Luster	S 20-91
Leaf Shape	A2506	Seed Size	S 20-91
Leaf Color	S 20-91	Seed Shape	S 20-91
Leaf Size	A2242	Seedling Pigmentation	S 19-90

23. GIVE DATA FOR SUBMITTED AND SIMILAR STANDARD VARIETY: Paired Comparison Data

VARIETY	NO. OF DAYS MATURITY	PLANT LODGING SCORE	CM PLANT HEIGHT	LEAFLET SIZE		SEED CONTENT		SEED SIZE G/100 SEEDS	NO. SEEDS/ POD
				CM Width	CM Length	% Protein	% Oil		
Submitted	126	2.4	79	5.9	10.6	39.9	22.2	20.2	
A2242 Name of Similar Variety	128	2.9	80	6.1	10.3	39.8	21.2	14.1	

PUBLICATIONS USEFUL AS REFERENCE AIDS FOR COMPLETING THIS FORM:

1. Caldwell, B.E., ed. 1973. Soybeans: Improvement, Production, and Uses. Amer. Soc. Agron. Monograph No. 16.
2. Buttery, B.R. and R.I. Buzzell. 1968. Peroxidase activity in seeds of soybean varieties. Crop Sci., 8: 722-725.
3. Hymowitz, T. 1973. Electrophoretic analysis of SBTI-A₂ in the USDA soybean germplasm collection. Crop Sci., 13: 420-421.
4. Payne, R.C. and L.F. Morris. 1976. Differentiation of soybean cultivars by seedling pigmentation patterns. J. Seed Technol. 1: 1-19.

U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE

The following statements are made in accordance with the Privacy Act of 1974 (5 U.S.C. 552a) and the Paperwork Reduction Act (PRA) of 1995.

EXHIBIT E
STATEMENT OF THE BASIS OF OWNERSHIP

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). Information is held confidential until certificate is issued (7 U.S.C. 2426).

1. NAME OF APPLICANT(S)

Novartis Seeds, Inc.

2. TEMPORARY DESIGNATION
OR EXPERIMENTAL NUMBER

3. VARIETY NAME

S23-06

4. ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP, and Country)

P.O. Box 959
Minneapolis, MN 55440

5. TELEPHONE (include area code)

612-593-7333

6. FAX (include area code)

612-593-6501

7. PVPO NUMBER

9600195

8. Does the applicant own all rights to the variety? Mark an "X" in appropriate block. If no, please explain.

☒ YES☐ NO

9. Is the applicant (individual or company) a U.S. national or U.S. based company?

☒ YES☐ NO

If no, give name of country

10. Is the applicant the original owner?

☒ YES☐ NO

If no, please answer one of the following:

a. If original rights to variety were owned by individual(s), is (are) the original owner(s) a U.S. national(s)?

☐ YES☐ NO

If no, give name of country

b. If original rights to variety were owned by a company(ies), is(are) the original owner(s) a U.S. based company?

☐ YES☐ NO

If no, give name of country

11. Additional explanation on ownership (if needed, use reverse for extra space):

PLEASE NOTE:

Plant variety protection can be afforded only to owners (not licensees) who meet one of the following criteria:

1. If the rights to the variety are owned by the original breeder, that person must be a U.S. national, national of a UPOV member country, or national of a country which affords similar protection to nationals of the U.S. for the same genus and species.
2. If the rights to the variety are owned by the company which employed the original breeder(s), the company must be U.S. based, owned by nationals of a UPOV member country, or owned by nationals of a country which affords similar protection to nationals of the U.S. for the same genus and species.
3. If the applicant is an owner who is not the original owner, both the original owner and the applicant must meet one of the above criteria.

The original breeder/owner may be the individual or company who directed final breeding. See Section 41(a)(2) of the Plant Variety Protection Act for definition.

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0581-0055. The time required to complete this information collection is estimated to average 10 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

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To file a complaint, write the Secretary of Agriculture, U.S. Department of Agriculture, Washington, D.C. 20250, or call 1-800-245-6340 (voice) or (202) 720-1127 (TDD). USDA is an equal employment opportunity employer.

STD-470-E (07-97) (Destroy previous editions).

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